GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Endowments Department – Sri Lakshmi Narasimha Swamy Temple, Korukonda (V), East Godavari District – Sri S. Satyanarayana, Executive Officer - Gr.I(Retired)– Disciplinary proceedings initiated – Enquiry Conducted – Imposition of punishment of withholding entire pension and gratuity permanently - W.P.No.23197 of 2017 filed challenging punishment orders – Allowed - Hon'ble High Court Orders – Implemented – Orders – Issued.

REVENUE (VIGILANCE.IV.1) DEPARTMENT

G.O.Rt.No.432 **Dated:26-03-2019**

Read the following:-

1. From the Commissioner of Endowments Department, A.P., Hyderabad, Lr.No.E3/24829/1996, Dt : 22-2-2012.
2. Govt. Memo No.9528/Vig-IV-3/2012-1, Dt : 27-04-2012.
3. Govt. Memo No.9528/Vig-IV-3/2012-2, Dt : 27-04-2012.
4. Explanation from Sri S. Satyanarayana, Executive Officer (Retired), Dt : 11-09-2012.
5. Govt. Memo No.9528/Vig-IV-3/2012-3, Dt : 19-11-2012.
6. Govt. D.O.Lr.No.9528/Vig-IV-3/2012-4, Dt : 03-12-2012.
7. From C.E.D., Lr.No.E3/24829/1996, dt : 08-07-2013.
8. G.O.Ms.No.467, Revenue (Vig.IV.3) Department, dt : 20-8-2013.
9. Orders of the Hon'ble High Court in W.P.No.23197 of 2017, dt:23.03.2018.
10. From Commissioner of Endowments Lr. In Rc.No.V2/24829/1996, dt:18-3-2019.

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ORDER:

In the reference 1st read above, the Commissioner, Endowments Department has informed that Sri. S. Satyanarayana, former Executive Officer and now retired, Sri Lakshmi Narasimha Swamy Temple, Korukonda, East Godavari District has committed certain irregularities in the administration of the subject temple and as many as 9 charges were framed against him and he was placed under suspension. Subsequently, he was reinstated into service pending enquiry into the charges vide letter dt:03-09-1996 and the Executive Officer, Sri Venkateswara Swamy Devasthanam, Dwaraka Tirumala, West Godavari was appointed as Enquiry Officer. The Enquiry Officer has submitted enquiry report in his letter dt:29-04-1997 as per the enquiry report all 9 charges were held proved. Enquiry report was communicated to the charged officer to submit his explanation on the proved charges vide his office letter dated:20-06-1997. The Charged Officer has acknowledged the receipt of enquiry report on 19-09-1997, but he has not submitted his explanation. Since the Charged Officer retired from service on 31-01-2004, the Commissioner of Endowments Department, referred the case to the Government to take disciplinary action under Rule 9 of Andhra Pradesh Revised Pension Rules, 1980.

2) In Government Memo 2nd read above, a show-cause notice was issued under rule 9 of Andhra Pradesh Revised Pension Rules, 1980 to the Charged Officer to explain as to why withholding entire pension and gratuity permanently should not be imposed on him for the charges held proved.

3) In reply, the Charged Officer has submitted his further explanation in his letter 4th read above, stating that the concerned clerk has played all the mischief and he is not responsible for the misappropriation of amounts. Government have examined the same and found that the explanation is not convincing with reference to facts of the case and therefore, decided to impose a penalty of withholding entire pension and gratuity permanently against the Charged Officer.

Contd.,2

4) Accordingly, with the concurrence of Andhra Pradesh Public Service Commission, the Government in exercise of the powers conferred under Rule 9 of Andhra Pradesh Revision Pension Rules, 1980 imposed the punishment of withholding entire pension and gratuity permanently against Sri S. Satyanarayana, Executive Officer (Retired), Sri Lakshmi Narasimha Swamy Temple, etc., Korukonda, East Godavari District vide GO eighth read above.

5) Aggrieved by the orders he filed O.A.No.8121/2013, before the Hon'ble Andhra Pradesh Administrative Tribunal, Hyderabad. The Hon'ble Andhra Pradesh Administrative Tribunal has dismissed the O.A on 17.02.2017. Thereupon, he approached the Hon'ble High Court and filed W.P.No.23197/2017 and the Hon'ble high Court was pleased to allow the writ petition and order Dt:23.03.2018 as follows:

> *"Accordingly the Writ Petition is allowed setting aside the order Dt:17.02.2017 passed by the learned Tribunal in O.A.No.8121 of 2013 and setting aside the order passed by the 1st Respondent vide G.O.Ms.No.467, Dt:20.08.2013. Consequently, the said O.A.No.821 of 2013 is allowed with all consequential benefits. No.costs. Miscellaneous petitions pending, if any shall stand closed".*

6) Now, the Delinquent Officer has filed C.C.No.70/2019 for implement the above W.P.No.23197/2017.

7) The Commissioner of Endowments vide her letter in the reference 10th read above has reported that, the Financial commitment made by the Delinquent Officer covered by the charges 1,2 & 9 framed against him i.e., maintenance of Duplicate pass books, manipulated Cash Book, bank pass books etc., of Sri Lakshmi Narasimha swamy Temple, Korukonda and misappropriating the amounts relating to Sri V.V. Reddypanthulu Choultry, Korukonda is Rs.20,230/-.There is inordinate delay of 16 years occurred in concluding the disciplinary proceedings against the petitioner.

8) Government, after examination of the matter in detail, have decided and order to implement the orders of Hon'ble High Court in W.P.No.23197 of 2017, dt : 23-3-2018 filed by Sri S. Satyanarayana, Executive Officer (Retired), Sri Lakshmi Narasimha Swamy Temple, etc., Korukonda, East Godavari District subject to recovery of an amount of Rs.20,230/- since the individual has given his consent vide reference 4th read above.

9) The Commissioner of Endowments shall take further necessary action in the matter accordingly.

Dr.MANMOHAN SINGH
SPECIAL CHIEF SECRETARY TO GOVERNMENT (LANDS & ENDTS)

To
The Commissioner of Endowments Department, Andhra Pradesh, Amaravathi, Gollapudi, Vijayawada Rural.

Copy to:
The individual through the Commissioner of Endowments, Vijayawada.
The Government Pleader of Services, Revenue, Andhra Pradesh Hight Court at Amaravathi.
The Director, Treasuries & Accounts, Andhra Pradesh, Vijayawada.
The Regional Joint Commissioner, Multi Zone-I, Rajamahendravaram, Endowments Department, East Godavari District.
The District Treasury Officer, East Godavari District.
Sc/Sf.

//FORWARDED BY ORDER//

SECTION OFFICER